#### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

Case No: 7:14-cv-45-D

GANZ U.S.A., LLC, and NOELLE, LLC,	)
Plaintiffs,	)
<b>v.</b>	CONSENT JUDGMENT AND PERMANENT INJUNCTION ORDER
TRANSPAC, INC. dba	,
TRANSPAC IMPORTS INC.,	)
	)
Defendant.	)

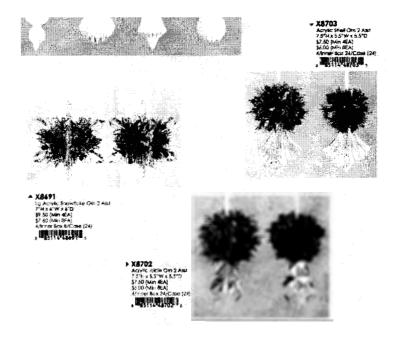
Upon the consent of the Plaintiffs, Ganz U.S.A, LLC and Noelle, LLC, (together, "Ganz"), and Defendant Transpac Inc. dba Transpac Imports Inc. ("Defendant" or "Transpac"), the Court finds as follows:

- 1. This Court has jurisdiction over the parties to this action and the subject matter of this litigation, and venue is proper in this Court.
- 2. The parties have entered into a Confidential Settlement Agreement and pursuant to that Confidential Settlement Agreement have executed this Consent Judgment and Permanent Injunction Order in order to settle the disputes between them and to avoid the costs of ongoing litigation.

THEREFORE, pursuant to Federal Rule of Civil Procedure 65, the requirements of which are hereby declared to be satisfied, it is ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Defendant and its officers, agents, servants, employees, attorneys, and all those in active concert or participation with Defendant who receive actual notice of this order, are hereby

RESTRAINED and ENJOINED FROM manufacturing, distributing, advertising, selling, offering for sale and distribution, and/or placing any future orders for the following products pictured below and currently identified as SKUs X8702 (acrylic hanging icicle), X8703 (acrylic hanging shell), and X8691 (acrylic hanging snowflake); and from assisting, aiding or abetting another person or business entity in engaging or performing any of the activities enumerated above.



- 2. This Order shall remain in full force and effect unless and until the Court grants a party's motion to dissolve or otherwise modify this Order.
- 3. No party shall be deemed to have made an admission as to liability or to damages as a result of this Order.
- 4. Plaintiffs are not required to post a bond with this Court to secure entry of the Permanent Injunction.
- 5. This Court shall retain jurisdiction to amend or modify the Permanent Injunction and to enforce the Permanent Injunction and Confidential Settlement Agreement and to remedy any violation. Plaintiffs may seek relief for any violation of the Permanent Injunction by

submitting a Motion for Sanctions or for Contempt, accompanied by an appropriate affidavit, detailing the violation(s) of this Permanent Injunction. Plaintiffs may seek relief for any violation of the Confidential Settlement Agreement by submitting a Motion to Enforce Settlement Agreement, accompanied by an appropriate affidavit, detailing the violation(s) of the Confidential Settlement Agreement.

- 6. All other claims for relief asserted in the Action, including all claims for monetary relief, are dismissed with prejudice.
- 7. Each party shall bear their own costs and/or attorneys' fees incurred through the entry of the Permanent Injunction.

So ORDERED this the 11 day of August, 2015.

By:

JAMES C. DEVER III

Chief United States District Judge

Agreed as to form and content:

# Coats & Bennett, PLLC Attorneys for Plaintiffs

By: /s/ Anthony J. Biller

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#### Wood Jackson PLLC Attorneys for Defendant

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## Consented to by the parties:

The undersigned hereby consent to the entry Permanent Injunction Order in the form annexed lapprove.	
	GANZ U.S.A., LLC
Dated: August 5 <sup>th</sup> , 2015	By:
	NOELLE, LLC
Dated:, 2015	By:
	TRANSPAC, INC. DBA TRANSPAC IMPORTS INC.
Dated:, 2015	By:

Consented to by the parties:

The undersigned hereby consent to the entry of a Consent Judgment And Permanent Injunction Order in the form annexed hereto or in such other form as the Court may approve.

		GANZ U.S.A., LLC
Dated:	, 2015	Ву:
Dated: August	5 th, 2015	NOELLE, LLC  By  TRANSPAC, INC. DBA TRANSPAC  IMPORTS INC.
<b>D</b> 4 1	2015	70

### Consented to by the parties:

The undersigned hereby consent to the entry of a Consent Judgment And Permanent Injunction Order in the form annexed hereto or in such other form as the Court may approve.

		GANZ U.S.A., LLC
Dated:, 2015	, 2015	Ву:
	NOELLE, LLC	
Dated:, 2015	Ву:	
	TRANSPAC, INC. DBA TRANSPAC IMPORTS INC.	
Dated:	, 2015	By: Michael J. Faremouth Chairman